

REMARKS

Summary of the Office Action

Claims 1-8 stand rejected under 35 U.S.C. § 112, second paragraph, for allegedly being indefinite.

Claims 1-8 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Applicant's Admitted Prior Art (hereinafter "AAPA") in view of Ogiu et al. (U.S. Patent No. 5,098,630) (hereinafter "Ogiu").

Summary of the Response to the Office Action

Applicant has amended independent claim 1 by adding features of previous claim 2 to independent claim 1. Accordingly, claim 2 has been canceled without prejudice or disclaimer. In addition, independent claim 1, and dependent claims 3, 7 and 8, have been newly-amended to differently describe embodiments of the disclosure of the instant application and/or to improve the form of the claims. Accordingly, claims 1 and 3-8 remain currently pending for consideration.

Rejection under 35 U.S.C. § 112, Second Paragraph

Claims 1-8 stand rejected under 35 U.S.C. § 112, second paragraph, for allegedly being indefinite. Applicant has amended the claims in response to the Examiner's comments at page 2 of the Office Action to improve the form of the claims. These amendments are fully consistent with the specification and drawings of the instant application which clearly describe and show each of the claimed features of the instant application. For example, paragraph [0020] specifically gives examples of reference numerals that point to various features of the disclosure

of the instant application. For at least the foregoing reasons, Applicant respectfully submits that the claims, as newly-amended, fully comply with 35 U.S.C. § 112, second paragraph.

Accordingly, Applicant respectfully requests that the rejections under 35 U.S.C. § 112, second paragraph be withdrawn.

Rejection under 35 U.S.C. § 103(a)

Claims 1-8 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over AAPA in view of Ogiu. Applicant has independent claim 1 by adding features of previous claim 2 to independent claim 1. Accordingly, claim 2 has been canceled without prejudice or disclaimer. In addition, independent claim 1 has been newly-amended to differently describe embodiments of the disclosure of the instant application and/or to improve the form of the claim. To the extent that these rejections might be deemed to still apply to the claims as newly-amended, the rejections are respectfully traversed for at least the following reasons.

Newly-amended independent claim 1 of the instant application describes an advantageous combination of features including features of previous claim 2 which specifically describe that “said first resin layer is arranged in such a manner that a portion of the first resin layer provided on said recessed portion in the second surface is sunk lower than a portion of the first resin layer provided on an outer edge portion of said recessed portion.”

Applicant respectfully submits that as a result of these features “even if a flat collet may be used in the manufacturing process, it is ensured that the back illuminated photodetector detects light at a high sensitivity.” Applicant refers to paragraph [0011] of the specification of the instant application in this regard. On the other hand, Applicant respectfully submits that neither

of the cited references AAPA and Ogiu discloses, or even suggests, the above-described features and/or the effect of these features.

Accordingly, Applicant respectfully asserts that the rejections under 35 U.S.C. § 103(a) should be withdrawn because AAPA and Ogiu, whether taken separately or combined, do not teach or suggest each feature of independent claim 1 of the instant application, as newly-amended. As pointed out by MPEP § 2143.03, “[a]ll words in a claim must be considered in judging the patentability of that claim against the prior art.’ In re Wilson, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970).” Since the prior art does not disclose or suggest any of the combinations recited in Applicant’s claims, and if anything appears to teach away from the current claim recitations, KSR Int’l Co. v. Teleflex Inc., 127 S.Ct. 1727 (2007), Applicant submits that such recited combinations would not have been obvious in view of the applied references of record, whether taken alone or combined in the manner suggested by the Examiner in the Office Action.

Furthermore, Applicant respectfully asserts that the dependent claims 3-8 are allowable at least because of their dependence from newly-amended independent claim 1, the reasons discussed previously, and further reasons discussed in the following paragraphs.

With regard to dependent claim 5, Applicant respectfully submits that AAPA does not disclose, or even suggest, the feature of dependent claim 5 of “wherein said window plate has a square cross-sectional shape with at least one corner being chamfered in a plane perpendicular to the thickness direction thereof.”

In addition, with regard to dependent claim 6, Applicant respectfully submits that APAA does not disclose, or even suggest, the feature of dependent claim 6 of “wherein a highly-doped impurity semiconductor region with impurities of said first conductive type added thereto at a

high concentration is exposed across the entire side surface of said semiconductor substrate.”

Moreover, Applicant respectfully submits that APAA does not disclose, or even suggest, the advantageous effect of the feature in that “even if a side surface of the semiconductor substrate may be damaged through dicing, etc., the highly-doped impurity semiconductor region can trap unnecessary carriers that are generated in the vicinity of the side surface of the semiconductor substrate, and therefore can suppress dark current and/or noise.” Applicant refers to paragraph [0015] of the specification of the instant application in this regard.

CONCLUSION

In view of the foregoing, Applicant submits that the pending claims are in condition for allowance, and respectfully request reconsideration and timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding after consideration of this response; the Examiner is invited to contact Applicant’s undersigned representative to expedite prosecution. A favorable action is awaited.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including

any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573.

This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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Dated: January 23, 2009

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